

**Fire Safety Code Board
Of Appeal and Review
Hearing Minutes January 4, 2011**

The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, January 4, 2011 at 1:00 P.M. Present were Chairman Newbrook and Commissioners Dias, Filippi, Pearson, Walker, Jasparro, Preiss, Blackburn and Richard. Commissioner Jackson was absent. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella.

The following cases were heard.

APPEAL #090278: Mr. Mario Mancebo, for the property located at 663 Charles Street in Providence. Deputy State Fire Marshals Cynthia Dehler and Wade Palazini appeared for the State Fire Marshal's Office. Commissioner Dias made a motion, seconded by Commissioner Jasparro, to grant the following relief. The Applicant is granted a variance to not install a sprinkler system in this facility. The Applicant is granted a time variance of thirty (30) days in which to present his plan of action for the correction of any outstanding deficiencies to the State Fire Marshal's Office and an additional 120 days in which to implement that plan. The State Fire Marshal's Office is authorized to extend this time for good faith efforts being shown by the Applicant. The motion passed over the objection of

Commissioner Blackburn. This file will remain open at the request of the State Fire Marshal's Office.

APPEAL #100288: Gamma Court Partnership, for the property located at 1232 Hartford Avenue in Johnston. ADSFM Richard Matarese appeared for the Johnston Fire Marshal's Office. Commissioner Walker made a motion, seconded by Commissioners Blackburn and Richard, to grant the Applicant a time variance of thirty (30) days in which to present a plan of action to the Johnston Fire Marshal's Office for the correction of any outstanding deficiencies in this facility and an additional 150 days in which to implement that plan. The Johnston Fire Marshal's Office has the authority to extend the above timelines for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #100291: For the property located at 4 Court Drive in Lincoln, ADSFM Steven Tucker appeared for the Lime Rock Fire District Fire Marshal's Office. The Applicant failed to appear, but advised the Board by telephone that he intended to correct all outstanding deficiencies and asked for time to comply. Commissioner Blackburn made a motion, seconded by Commissioner Dias, to grant the Applicant a time variance of thirty (30) days in which to present a plan of action to the Lime Rock Fire District Fire Marshal's Office for the correction of any outstanding deficiencies in this facility and an additional 150 days in which to implement that plan. The Lime Rock Fire District Fire Marshal's

Office has the authority to extend the above timelines for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #100292: Gilbert Stuart Memorial Inc, for the property located at 815 Gilbert Stuart Road, Saunderstown. ADSFM Gordon Walsh appeared for the North Kingstown Fire Marshal's Office. Commissioner Walker made a motion, seconded by Commissioners Richard and Jasparro, to grant the Applicant relief for RI wiring methods for the customized fire alarm system being voluntarily installed in this historical building. The motion passed over the objection of Commissioner Preiss.

APPEAL #100295: Mr. Walter O. Drescher Jr., for the property located at 3661 Quaker Lane in North Kingstown. ADSFM Gordon Walsh appeared for the North Kingstown Fire Marshal's Office. Commissioner Blackburn made a motion, seconded by Commissioners Richard and Filippi to grant the Applicant the following relief. The Applicant is directed to install a K-type fire extinguisher at the direction and to the satisfaction of the North Kingstown Fire Marshal and to also have the employees of this facility trained in its use, within thirty days. The Applicant is granted a time variance of one (1) year in which to install a compliant hood and duct system and a compliant fire suppression system, at the direction and to the satisfaction of the North Kingstown Fire Marshal's Office. The Applicant is granted a time variance of thirty

(30) days in which to submit a plan of action for the correction of any remaining deficiencies to the North Kingstown Fire Marshal's Office and is further granted an additional 150 days in which to implement that plan. The North Kingstown Fire Marshal is granted the authority to extend the 30 and 150 day time variance for good faith efforts being shown by the Applicant. The motion passed over the objection of Commissioner Preiss.

APPEAL #100296: Realty East Inc, for the property located at 1 Mill Street in North Providence. ADSFM John Horan appeared for the North Providence Fire Marshal's Office. Commissioner Pearson made a motion, seconded by Commissioner Filippi, to grant the following relief. The Applicant is directed to maintain or provide maintenance records to the Fire Marshal within thirty (30) days. The Applicant is granted a time variance of ninety (90) days in which to have a structural engineer review the deficiencies associated with the wood-framed egress stairs and the unprotected openings in the exterior ways of exit access, and to have those deficiencies corrected at the direction and to the satisfaction of the North Providence Fire Marshal's Office. The Applicant is granted a time variance of thirty (30) days to provide the North Providence Fire Marshal's Office with a plan of action for the correction of any other outstanding deficiencies within this facility, and an additional 150 days in which to implement that plan. The North Providence Fire Marshal may extend the above 30 and 150 day variance for good faith efforts being shown by the Applicant. The motion passed over the objection of Commissioner

Richard.

APPEAL #100302: Mr. Robert Manke, for the property located at 110 High Street in Ashaway. DSFM Kaitlyn Foley appeared for the State Fire Marshal's Office. Commissioner Richard made a motion, seconded by Commissioner Walker, to grant the Applicant a variance to maintain the cited wood construction of the education area in its current configuration. The Applicant is granted a time variance of thirty (30) days to provide the State Fire Marshal's Office with a plan of action for the correction of any other outstanding deficiencies within this facility, and an additional 150 days in which to implement that plan. The State Fire Marshal may extend the above 30 and 150 day variance for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #100299: Mr. Timothy Wensus, for the property located at 140-158 Narragansett Avenue in Providence. Assistant Deputy State Fire Marshals Fournier and Doyle appeared for the Providence Fire Marshal's Office. Commissioner Blackburn recused himself from consideration of this case. Commissioner Jasparro made a motion, seconded by Commissioner Filippi, to grant the following relief. The Applicant is directed to provide emergency lighting and exit signage within sixty (60) days, at the direction and to the satisfaction of the Providence Fire Marshal's Office. The Applicant is directed to remove the dumpster currently located inside the building out of the building within thirty (30) days. The Applicant is directed to provide compliant

fire extinguishers where required and to train all employees in their use, also within thirty (30) days. The Applicant is granted a time variance of thirty (30) days to present a plan of action for the correction of all other outstanding deficiencies in this facility to the Providence Fire Marshal's Office and is further granted an additional 150 days to implement that plan of action. The Providence Fire Marshal's Office is granted the authority to extend the above 30 and 150 day deadlines for good faith efforts being shown by the Applicant. The motion passed

APPEAL #100298: Mr. Gary Minassian, for the property located at 568 Child Street in Warren. Chief Alexander Galinelli appeared for the Warren Fire Marshal's Office and Deputy State Fire Marshal Paul Manning appeared for the State Fire Marshal's Office. Commissioner Richard made a motion, seconded by Commissioner Preiss, to grant the following relief. The Applicant is granted a time variance of thirty days in which to present to the State Fire Marshal's Office a plan for the correction of deficiencies 1 and 3 on the 10-28-10 State Fire Marshal's report. The Applicant is granted an additional 150 days in which to implement that plan. The State Fire Marshal's Office is granted the authority to extend the above timeline for good faith efforts being shown by the Applicant.

In the matter of items 2 and 4 of the report, the Applicant is granted a time variance of ninety (90) days for a licensed professional to conduct a review of this facility utilizing the 101A performance

standards to determine whether or not those items comply. If the determination is made that the facility is not compliant under those standards, the Applicant is directed to contact the Fire Board for a follow-up hearing on the matter. If the facility is compliant, no further action is needed on items 2 and 4. The motion was unanimous.

APPEAL #100272: Mr. Leonard Belliveau, Jr., for the property located at 412-414 Taunton Avenue in East Providence. Assistant Deputy State Fire Marshals Elmasian, Bellamy and Powers appeared for the East Providence Fire Marshal's Office. Commissioners Blackburn and Walker recused themselves from consideration of this case. Commissioner Richard made a motion, seconded by Commissioner Pearson, to grant the Applicant a time variance of thirty (30) days in which to submit a plan of action for the correction of the outstanding deficiencies in this facility and an additional 150 days in which to implement that plan. The East Providence Fire Marshal's Office is granted the authority to extend the above timelines for good faith efforts being shown by the Applicant. The East Providence has no objection to the above relief and asked that the file remain open. The motion was unanimous.

APPEAL #100297: Ms. Dorothy Faria, for the property located at 28 Water Street in East Providence. Assistant Deputy State Fire Marshals Elmasian, Bellamy and Powers appeared for the East Providence Fire Marshal's Office. Commissioner Walker recused himself from consideration of this case. Commissioner Richard made

a motion, seconded by Commissioner Jasparro, to grant the Applicant the following relief. The Applicant is granted a dimensional relief, based on structural hardship, for items including, but not limited to, the width of the second floor north stairway, the dimensions of the landing, and the required headroom height of the third floor stairway, pursuant to the establishment of the occupancy limit, by the East Providence Fire Marshal's Office, of the second floor assembly area. The Applicant is granted a variance, based on structural hardship, in order to allow her to maintain the cited electric panels in their cited location, provided a remote electrical shut-off device is installed, at the direction and to the satisfaction of the East Providence Fire Marshal's Office. The Applicant is directed to install a weather-proof notification device at the exterior deck area prior to the re-occupancy of that area. The Applicant is granted a time variance of one year in which to correct any other outstanding deficiencies in this facility, at the direction and to the satisfaction of the East Providence Fire Marshal's Office. The motion was unanimous.

Respectfully submitted

Carol Marsella